

ASMC Use Only:

Fee: _____
Bond Required: _____
Date Approved: _____

APPLICATION FOR PERMIT REVISION

Name of Permittee: Best Coal, Inc.
License Number: L-568 Permit Number: P-3932-01-16-S
Permit Expiration Date: 09/15/16 Mine Name: Jagger Mine
Revision Number: Revision R-1

Nature of Proposed Revision:

(See attached Nature of Revision on the following page.)

Attach detailed estimate of effect of proposed revision on reclamation costs.

- 1) Add 69.0 new acres mining area, 1.0 new acre for a portion of Primary Road 5P, and 7.0 New Acres Basins 053P, 054P, 055P, 056P, 079P, 081P, and drainage course to Increment No. 1.
- 2) Add 35.0 new acres mining area, 6.0 new acres Basins 049P, 051P, 052P, 057P, 080P, drainage courses, and 1.0 new acre access roads to Increment No. 2.
- 3) Add 36.0 new acres mining area and drainage course, and 1.0 new acre for a portion of Primary Road 7P to Increment No. 3.
- 4) Add 44.0 new acres mining area, and 1.0 new acre Basin 077P to Increment No. 4.
- 5) Add 11.0 new acres for Primary Road 4P, a portion of Primary Road 5P, and Primary Road 6P, 9.0 new acres Basins 045P, 047P, 048P, Drainage Courses, 2.0 new acres access roads, and 38.0 new acres excess spoil disposal area No. 1 to Increment No. 5.
- 6) Add 6.0 new acres for a portion of Primary Road 7P, Primary Road 8P, and Primary Road 9P, 2.0 new acres for Basins 035P, 037P, and drainage courses, 1.0 new acres access roads, and 128.0 new acres for Excess Spoil Disposal Area No. 2 to Increment No. 6.
- 7) Transfer 15.0 acres mining area and 1.0 acre Basins 012P and 013P from Increment No. 2 to Increment No. 1. Re-assess Basin 012P and 013P as mining area.
- 8) Transfer 2.0 acres mining area from Increment No. 3 to Increment No. 1. Re-assess 1.0 acre mining area as a portion of Primary Road 5P.
- 9) Re-assess 1.0 acre Basin 019P and a drainage course.
- 10) Transfer 28.0 acres mining area from Increment No. 3 to Increment No. 2.
- 11) Transfer 2.0 acres Basins 010P and 011P from Increment No. 5 to Increment No. 2. Re-assess Basins 010P and 011P as mining area.
- 12) Transfer 10.0 acres mining area from Increment No. 4 to Increment No. 2.
- 13) Transfer 13.0 acres mining area and 1.0 acre Basin 018P from Increment No. 2 to Increment No. 3. Re-assess Basin 018P as mining area.
- 14) Transfer 37.0 acres mining area from Increment No. 4 to Increment No. 3.
- 15) Transfer 1.0 acre Basin 009P from Increment No. 5 to Increment No. 3. Re-assess Basin 009P as mining area.
- 16) Transfer 11.0 acres mining area from Increment No. 3 to Increment No. 4.
- 17) Transfer 4.0 acres Basins 020P, part of 021P, 024P, and 025P from Increment No. 5 to Increment No. 4. Re-assess Basins 020P, part of 021P, 024P, and 025P as mining area.
- 18) Transfer 1.0 acre mining area from Increment No. 2 to Increment No. 1. Re-assess 1.0 acre mining area a portion of Primary Road 5P.
- 19) Re-assess 1.0 Acre mining area in Increment No. 3 as a portion of Primary Road 7P.
- 20) Transfer 9.0 acres for Primary Roads 1P, 2P, and 3P and 1.0 acre Coal Stockpile, Equipment Storage Area, and office from Increment No. 6 to Increment No. 1.
- 21) Re-locate Basins 022P and 023P. Transfer 1.0 acre Basin 022P and part of Basin 021P from Increment No. 5 to Increment No. 3. Transfer 1.0 acre Basin 023P from Increment No. 5 to Increment No. 4. Re-assess part of Basin 021P as mining area.

- 22) Transfer 1.0 acre drainage courses and access from Increment No. 5 to Increment No. 4. Re-assess drainage courses and access as mining area.
- 23) Transfer 1.0 acres mining area from Increment No. 4 to Increment No. 3. Re-assess mining area as a drainage course.
- 24) Extend the topsoil variance to include all mining and Excess Spoil Area within the Post Revision R-1 Permit Area.
- 25) Update the Operations Plan.
- 26) Update the Hydrologic Monitoring Plan to delete Basins 009P, 010P, 011P, 012P, 013P, 018P, 019P, 020P, 021P, 024P, and 025P and to add Basins 035P, 037P, 045P, 047P, 048P, 049P, 051P, 052P, 053P, 054P, 055P, 056P, 057P, 077P, 079P, 080P and 081P.
- 28) Submit Detailed Design Plans for Basins 047P, 053P, 054P, 055P, 056P, and 081P.
- 29) Submit Detailed Design Plans for Primary Road 4P.
- 30) Submit Detailed Design Plans for Excess Spoil Area No. 1.

Applicant: Best Coal, Inc.
Mine Name: Jagger Mine
Permit Number: P- 3932 Revision R-1

STATE OF ALABAMA

SURFACE MINING COMMISSION

- (X) Permit Application for a Surface Coal Mine
() Permit Application for an Underground Coal Mine
() Permit Application for a Preparation Facility

1. PERMIT APPLICANT

Name: Best Coal, Inc.
Street Address: 2361 Cumberland Lake Drive
City: Pinson State: AL Zip: 35126
Mailing Address: 2361 Cumberland Lake Drive
City: Pinson State: AL Zip: 35126
Telephone Number: (205) 590-4245
Social Security Number (Voluntary): _____
Employer Identification Number: _____
ASMC License#: L-0568

2. ENTITY OR PERSON RESPONSIBLE FOR PAYING ABANDONED MINE LAND RECLAMATION FEES

Name: Applicant
Street Address: _____
City: _____ State: _____ Zip: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Telephone Number: (_____) _____
Social Security Number (Voluntary): _____
Employer Identification Number: _____
ASMC License#: _____

3. IDENTIFY THE OPERATOR FOR THIS MINE IF DIFFERENT FROM THE PERMITTEE

Name: Applicant
Street Address: _____
City: _____ State: _____ Zip: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Telephone Number: (_____) _____
Social Security Number (Voluntary): _____
Employer Identification Number: _____
ASMC License#: _____

4. CONTACT PERSON FOR PERMIT REVIEW ISSUES AND CORRESPONDENCE

Name: Heath Franks c/o PERC Engineering Co., Inc.
Mailing Address: Post Office Box 1712
City: Jasper State: AL Zip: 35502-1712
Telephone Number: (205) 384-5553

Applicant: Best Coal, Inc.
Mine Name: Jagger Mine
Permit Number: P- 3932 Revision R-1

PART I B. OWNERSHIP AND CONTROL

1. PERMIT APPLICANT OWNERSHIP AND CONTROL.

At the time of filing of this application provide an update of all information contained in the applicant's license file or certify that the information contained in the license is accurate and complete. The updated information shall be submitted on Part IA through Part IF of the License application form. Check one of the following

- ☐ A license update is included
- ☒ Information contained in the license file is accurate and complete at the time of filing of this application.
No update is included.

Following notification that the permit appears eligible for issuance, the applicant must certify that all information in this application and the license file pertaining to ownership and control, surface mining history and violation history is still valid or the applicant must submit the appropriate update information.

2. OPERATOR OWNERSHIP AND CONTROL.

If someone other than the permittee has been identified as the operator under this permit, an update of the ownership and control information contained in the operator's license file must be provided or certify that the information contained in the license file is accurate and complete. The updated information shall be submitted on Part I A through Part I F of the License application form. Check one of the following: **NOT APPLICABLE**

- ☐ A license update is included
- ☐ Information contained in the license file is accurate and complete at the time of filing of this application.
No update is included.

Following notification that the permit appears eligible for issuance, the applicant must certify that all information in this application and the license file pertaining to ownership and control, surface mining history and violation history is still valid or the applicant must submit the appropriate update information.

3. CONTROL OF MINING OPERATION THROUGH CONTROL OF COAL TO BE MINED.

Provide the information below for any person or entity who owns or controls the coal to be mined under this permit and who, by lease, sublease, or other contract:

- A. has the right to receive the coal after mining, or,
B. has the authority to determine the manner in which the operator or permittee conducts surface coal mining operations.

(USE ADDITIONAL SHEETS IN THE FORMAT BELOW IF NECESSARY)

Name: Applicant
Street Address: _____
City: _____ State: _____ Zip: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Telephone: (____) _____-_____
Social Security Number (Voluntary): _____-_____
Employer Identification Number: _____
ASMC License Number: _____

Applicant: Best Coal, Inc.
Mine Name: Jagger Mine
Permit Number: P- 3932 Revision R-1

PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS

1. OWNERSHIP OF PROPERTY TO BE MINED AND RIGHT OF ENTRY.

INSTRUCTIONS: Show the property ownership boundaries of each parcel of land in the permit area on the permit map or an overlay of the same scale as the permit map. If the surface estate is severed from the mineral estate, show and describe the ownership of each estate separately. In the spaces below, identify:

1. Every current legal or equitable owner(s) of record (as found in a standard search of title) of the property;
2. The holders of record of any leasehold interest in the property; and,
3. Any purchaser of record under a real estate contract of the property.

Describe the basis of the applicant's legal right to enter and mine on all properties contained in the permit application. If the mineral estate has been severed from the surface estate, describe the basis of the legal right to enter and mine both the surface and mineral separately. Give the nature of such right (i.e. lease, deed, contract, etc.), where recorded, describe from whom, to whom, and the date executed, and whether that right is the subject of pending litigation.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY

Page 1 of 5

Legal description of property or permit map symbol: Edvon Sloan(S)

Surface/Mineral/or Fee Simple (both): Surface

Legal owner(s) of record: Sloan Edvon

Address: 3391 George Key Road City: Warrior State: AL Zip: 35071

Holders of leasehold interest: _____

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	Edvon Sloan	Best Coal, Inc.	1/7/2011	No

Applicant: Best Coal, Inc.
Mine Name: Jagger Mine
Permit Number: P- 3932 Revision R-1

PART I C 1. (CONTINUED)

Page 2 of 5

Legal description of property or permit map symbol: William A. Cousins (S)
Surface/Mineral/or Fee Simple (both): Surface
Legal owner(s) of record: William A. Cousins
Address: P. O. Box 352 City: Mount Olive State: AL Zip: 35117
Holders of leasehold interest: _____
Address: _____ City: _____ State: _____ Zip: _____
Purchasers under a real estate contract: _____
Address: _____ City: _____ State: _____ Zip: _____
Description of right to enter or mine:
Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	William A. Cousins	Best Coal, Inc.	1/7/2011	No

Legal description of property or permit map symbol: Alawest-AL, L.L.C. (S), (M) & (Fee)
Surface/Mineral/or Fee Simple (both): Surface, Mineral & Fee Simple
Legal owner(s) of record: Alawest, Inc.
Address: P. O. Box 412 City: Northport State: AL Zip: 35476
Holders of leasehold interest: _____
Address: _____ City: _____ State: _____ Zip: _____
Purchasers under a real estate contract: _____
Address: _____ City: _____ State: _____ Zip: _____
Description of right to enter or mine:
Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	Alawest-AL, LLC.	Best Coal, Inc.	2/15/2011	No

Applicant: Best Coal, Inc.
Mine Name: Jagger Mine
Permit Number: P- 3932 Revision R-1

PART I C 1. (CONTINUED)

Page 3 of 5

Legal description of property or permit map symbol: Roger W. & Ruth W. Dyer (S)
Surface/Mineral/or Fee Simple (both): Surface
Legal owner(s) of record: Roger W. & Ruth W. Dyer
Address: 8090 Dyer Road City: Gardendale State: AL Zip: 35071
Holders of leasehold interest: _____
Address: _____ City: _____ State: _____ Zip: _____
Purchasers under a real estate contract: _____
Address: _____ City: _____ State: _____ Zip: _____
Description of right to enter or mine:
Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	Roger W and Ruth W. Dyer	Best Coal, Inc.	10/23/03	No

Legal description of property or permit map symbol: Roger J. McMichens (S)

Surface/Mineral/or Fee Simple (both): Surface
Legal owner(s) of record: Roger J. McMichens
Address: 2950 Nail Road City: Warrior State: AL Zip: 35180
Holders of leasehold interest: _____
Address: _____ City: _____ State: _____ Zip: _____
Purchasers under a real estate contract: _____
Address: _____ City: _____ State: _____ Zip: _____
Description of right to enter or mine:
Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	Roger J. McMichens	Best Coal, Inc.		No

Applicant: Best Coal, Inc.
Mine Name: Jagger Mine
Permit Number: P- 3932 Revision R-1

PART I C 1. (CONTINUED)

Page 4 of 5

Legal description of property or permit map symbol: John Loyd & Renee H. Bush (S)
Surface/Mineral/or Fee Simple (both): Surface
Legal owner(s) of record: John Loyd & Renee Bush
Address: 6401 N. Hills Circle City: Gardendale State: AL Zip: 35071
Holders of leasehold interest: _____
Address: _____ City: _____ State: _____ Zip: _____
Purchasers under a real estate contract: _____
Address: _____ City: _____ State: _____ Zip: _____
Description of right to enter or mine:
Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	John Lloyd & Renee H. Bush	Best Coal, Inc.		No

Legal description of property or permit map symbol: Joseph P. & Margaret G. Bahrlick (S)

Surface/Mineral/or Fee Simple (both): _____
Legal owner(s) of record: Joseph P. & Margaret G. Bahrlick
Address: 5204 Birmingham Road City: Sylvan Springs State: AL Zip: 35118
Holders of leasehold interest: _____
Address: _____ City: _____ State: _____ Zip: _____
Purchasers under a real estate contract: _____
Address: _____ City: _____ State: _____ Zip: _____
Description of right to enter or mine:
Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	Joseph P. & Margaret G. Bahrlick	Best Coal, Inc.		No

Applicant: Best Coal, Inc.
Mine Name: Jagger Mine
Permit Number: P- 3932 Revision R-1

PART I C 1. (CONTINUED)

Page 5 of 5

Legal description of property or permit map symbol: Chris G. Lafiore (S)
Surface/Mineral/or Fee Simple (both): Surface
Legal owner(s) of record: Chris G. Lafiore
Address: 3248 White Road City: Dora State: AL Zip: 35062
Holders of leasehold interest: _____
Address: _____ City: _____ State: _____ Zip: _____
Purchasers under a real estate contract: _____
Address: _____ City: _____ State: _____ Zip: _____
Description of right to enter or mine:
Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	Chris G. Lafiore	Best Coal, Inc.		No

Legal description of property or permit map symbol: _____
Surface/Mineral/or Fee Simple (both): _____
Legal owner(s) of record: _____
Address: _____ City: _____ State: _____ Zip: _____
Holders of leasehold interest: _____
Address: _____ City: _____ State: _____ Zip: _____
Purchasers under a real estate contract: _____
Address: _____ City: _____ State: _____ Zip: _____
Description of right to enter or mine:
Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease				No

Applicant: Best Coal, Inc.
Mine Name: Jagger Mine
Permit Number: P- 3932 Revision R-1

PART I C. (CONTINUED)

2. OWNERSHIP OF SURFACE AND MINERAL LANDS CONTIGUOUS TO THE AREA TO BE MINED
INSTRUCTIONS:

Provide the information below for the owners of record of all surface and mineral properties contiguous to any part of the proposed permit area.

USE ADDITIONAL SHEETS AS NECESSARY IN THE FORMAT BELOW

=====

PAGE 1 of 1

=====

Name: Edvon Sloan
Address: 3391 George Key Road
City: Warrior State: AL Zip: 35180
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest(Owner, Lease , or Other): Owner

Name: William A. Cousins
Address: P. O. Box 352
City: Mount Olive State: AL Zip: 35117
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest(Owner, Lease , or Other): Owner

Name: Alawest-AL, LLC
Address: P. O. Box 412
City: Northport State: AL Zip: 35476
Interest owned (Surface, Coal or Fee Simple): Surface, Coal
Fee Simple
Type of Interest(Owner, Lease , or Other): Owner

Name: Roger W. & Ruth W. Dyer
Address: 8090 Dyer Road
City: Gardendale State: AL Zip: 35071
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest(Owner, Lease , or Other): Owner

Name: Roger J. McMichens
Address: 2950 Nail Road
City: Warrior State: AL Zip: 35180
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest(Owner, Lease , or Other): Owner

Name: John Lloyd & Renee H. Bush
Address: 6401 N. Hills Circle
City: Gardendale State: AL Zip: 35071
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest(Owner, Lease , or Other): Owner

Name: Joseph P. & Margaret G. Bahrick
Address: 5204 Birmingham Road
City: Sylvan Springs State: AL Zip: 35118
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest(Owner, Lease , or Other): Owner

Name: Chris G. Lafiore
Address: 3248 White Road
City: Dora State: AL Zip: 35062
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest(Owner, Lease , or Other): Owner

Applicant: Best Coal, Inc.
Mine Name: Jagger Mine
Permit Number: P- 3932 Revision R-1

PART I C. (CONTINUED)

3. INTERESTS OR PENDING INTERESTS IN LANDS CONTIGUOUS TO THE PERMIT AREA
INSTRUCTIONS:

Give the legal description of all lands contiguous to the permit area for which the for which the permit applicant:

1. Holds an interest,
2. Holds an option, or
3. Has made a bid for ownership, lease or other interest.

USE ADDITIONAL SHEETS AS NECESSARY IN THE FORMAT BELOW

=====

PAGE ____ OF ____ Not Applicable

=====

Legal description: _____

Describe the nature of the interest: _____

=====

Legal description: _____

Describe the nature of the interest: _____

=====

Legal description: _____

Describe the nature of the interest: _____

=====

Legal description: _____

Describe the nature of the interest: _____

=====

Legal description: _____

Describe the nature of the interest: _____

=====

Legal description: _____

Describe the nature of the interest: _____

=====

Applicant: Best Coal, Inc.
Mine Name: Jagger Mine
Permit Number: P- 3932 Revision R-1

PART I D. PERMIT AREA INFORMATION

1. Give the requested term of this permit: 5 years.
2. Give the legal description of the land upon which the applicant proposes to conduct surface coal mining operations. List each quarter-quarter section, section, township, range, and county. SW/SW, NE/SW, SE/SW and NW/SE of Section 13; SW/NW, NW/SW, SW/SW, SE/NW, NE/SW, SE/SW, SW/NE, NW/SE, SW/SE, NE/SE, SE/SE, SE/NE of Section 14; SE/NE, NE/SE, SE/SE, SW/NE, NW/SE, SW/SE of Section 15; NW/NE, SW/NE, NE/NE, SE/NE of Section 22; NW/NW, SW/NW, NE/NW, SE/NW, NW/NE, SW/NE, NE/NE, NW/SW, NE/SW, NW/SE of Section 23; NW/NW of Section 24, Township 15 South, Range 4 West, Jefferson County, Alabama.

3. Give the acreage of the permit, each increment and the type of bonding.

a. Total permit acreage: 693 acres

b. Give the acreage and type of bond for each mining increment:

<u>Increment</u>	<u>Acres</u>	<u>Type Bond Proposed</u>
1.	<u>167</u>	<u>Surety Bond</u>
2.	<u>106</u>	<u>Surety Bond</u>
3.	<u>120</u>	<u>Surety Bond</u>
4.	<u>122</u>	<u>Surety Bond</u>
5.	<u>150</u>	<u>Surety Bond</u>
6.	<u>28</u>	<u>Surety Bond</u>

c. Identify the increment(s) on which mining will initially begin upon issuance of this permit: Increment No 1 & 6.

4. Has any acreage in the proposed permit area been previously disturbed by mining?

(XXX)YES ()NO

If yes, supply the following for any and all previously disturbed areas:

- a. Show the boundaries of the previously disturbed area(s) on the permit map and identify with an appropriate symbol.

See permit map.

- b. List, for each area, the permit number under which it was disturbed and the number of acres. Indicate the status of each permit as Unreleased, Grading released, or 100% released.(If no permit, indicated as such.

<u>Permit</u>	<u>Acres</u>	<u>Status</u>
<u>Pre-Law</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

- c. For each area which has not been reclaimed or received a 100% release, indicate whether you intend to assume responsibility for reclamation of the area under this permit and its performance bond(s). Best Coal, Inc. intends to accept the reclamation responsibility for the areas which they redisturb.

5. Is disturbance to be conducted within 300 feet, measured horizontally from an occupied dwelling? (XX)YES ()NO.

A mobile home (T1) is located within Increment No. 4. It is a weekend home, and owners will leave during blasting operations until the trailer can be relocated. (See permit map for location)

Applicant: Best Coal, Inc.
Mine Name: Jagger Mine
Permit Number: P- 3932 Revision R-1

PART I D. (CONTINUED)

6. Is disturbance proposed within 100 feet of a public road right-of-way or will a public road be closed or relocated? () YES (XX) NO.
If YES, enclose a copy of the approval granted by the government entity which has jurisdiction over the road. The approval must state the minimum distance disturbance will be allowed to the road or road right-of-way.

7. List all other licenses and permits required to conduct mining operations including, but not limited to, MSHA I.D. and NPDES. Give the identification or permit number, the name and address of the issuing authority, and the status or date of approval or issuance of each:

Permit	ID or Permit Number	Issuing Authority	Address	Status or of issuance
<u>MSHA ID</u>	<u>01-03420</u>	<u>MSHA</u>	<u>*</u>	<u>10/19/09</u>
<u>NPDES</u>	<u>AL0075752</u>	<u>ADEM</u>	<u>**</u>	<u>12/20/10</u>
* 228 West Valley Avenue, Birmingham, AL 35209				<u>Mod. Date Pending</u>

** 1400 Coliseum Blvd., Montgomery, AL 36110-2059

8. Is the property in the permit covered by zoning or other land use restrictions?
(XXX)YES ()NO.
If yes, indicate the jurisdictional authority and zoning or landuse area. If more than one zoning classification exists for the permit area, identify the boundaries of each the permit map.

Jurisdictional Authority	Zoning Classification	Allows mining? Yes or No
<u>Jefferson County</u>	<u>I-3-S</u>	<u>Yes</u>
<u>Zoning Board</u>		

9. Describe access to the proposed mine from a known point on the nearest public highway:
From Mt. Olive, Alabama travel north on Mt. Olive Road approximately 3.6 miles to the intersection of Mt. Olive Road and Old Mt. Olive Road. Turn left onto Old Mt. Olive Road and travel approximately 0.75 miles to the intersection of Old Mt. Olive Road and Glovers Bend Road. Turn left onto Glovers Bend Road and travel approximately 1.27 miles to the mine entrance on the right. The Permit area will be marked and signs will be posted.

10. Did the applicant receive assistance from the Small Operator Assistance Program in preparing this application?

() YES (XXX) NO

If YES, list SOAP I.D. Number: _____

11. Submit a certificate of proof of Liability Insurance with this application. See AMC Master File

PART I E. PUBLIC NOTICE AND AVAILABILITY FOR INSPECTION

12. Give the name of the approved public office in which a copy of this application will be filed for public inspection following notification of completeness: _____

ASMC website <http://surface-mining.alabama.gov/PermitApplications.html>

13. Enclose a copy of the notice of filing of this application which will appear in a newspaper of general circulation in the vicinity of the mine and identify the name of the newspaper: The Birmingham News. See Attachment for I.E.13.

Applicant: Best Coal, Inc.
Mine Name: Jagger Mine
Permit Number: P- 3932 Revision R-1

Attachment I.D.13.

PUBLIC NOTICE OF FILING OF PERMIT APPLICATION

In accordance with the provisions of Act No.81-435 of the State of Alabama and the regulations promulgated under this act, Best Coal, Inc., 2361 Cumberland Lake Drive , Pinson, Alabama 35126, hereby gives notice that it has filed an application with the Alabama Surface Mining Commission to revise permit P-3932-01-16-S for its Jagger Mine located in Jefferson County which lies in the SW/SW, NE/SW, SE/SW and NW/SE of Section 13; SW/NW, NW/SW, SW/SW, SE/NW, NE/SW, SE/SW, SW/NE, NW/SE, SW/SE, NE/SE, SE/SE, SE/NE of Section 14; SE/NE, NE/SE, SE/SE, SW/NE, NW/SE, SW/SE of Section 15; NW/NE, SW/NE, NE/NE, SE/NE of Section 22; NW/NW, SW/NW, NE/NW, SE/NW, NW/NE, SW/NE, NE/NE, NW/SW, NE/SW, NW/SE of Section 23; NW/NW of Section 24, Township 15 South, Range 4 West, Jefferson County, Alabama as shown on the Brookside, Alabama United States Geological Survey quadrangle map.

The revision is as follows: 1) Add 69.0 new acres mining area, 1.0 new acre for a portion of Primary Road 5P, and 7.0 New Acres Basins 053P, 054P, 055P, 056P, 079P, 081P, and drainage course to Increment No. 1. 2) Add 35.0 new acres mining area, 6.0 new acres Basins 049P, 051P, 052P, 057P, 080P, drainage courses, and 1.0 new acre access roads to Increment No. 2. 3) Add 36.0 new acres mining area and drainage course, and 1.0 new acre for a portion of Primary Road 7P to Increment No. 3. 4) Add 44.0 new acres mining area, and 1.0 new acre Basin 077P to Increment No. 4. 5) Add 11.0 new acres for Primary Road 4P, a portion of Primary Road 5P, and Primary Road 6P, 9.0 new acres Basins 045P, 047P, 048P, Drainage Courses, 2.0 new acres access roads, and 38.0 new acres excess spoil disposal area No. 1 to Increment No. 5. 6) Add 6.0 new acres for a portion of Primary Road 7P, Primary Road 8P, and Primary Road 9P, 2.0 new acres for Basins 035P, 037P, and drainage courses, 1.0 new acres access roads, and 19.0 new acres for Excess Spoil Disposal Area No. 2 to Increment No. 6. 7) Transfer 15.0 acres mining area and 1.0 acre Basins 012P and 013P from Increment No. 2 to Increment No. 1. Re-assess Basin 012P and 013P as mining area. 8) Transfer 2.0 acres mining area from Increment No. 3 to Increment No. 1. Re-assess 1.0 acre mining area as a portion of Primary Road 5P. 9) Re-assess 1.0 acre Basin 019P and a drainage course. 10) Transfer 28.0 acres mining area from Increment No. 3 to Increment No. 2. 11) Transfer 2.0 acres Basins 010P and 011P from Increment No. 5 to Increment No. 2. Re-assess Basins 010P and 011P as mining area. 12) Transfer 10.0 acres mining area from Increment No. 4 to Increment No. 2. 13) Transfer 13.0 acres mining area and 1.0 acre Basin 018P from Increment No. 2 to Increment No. 3. Re-assess Basin 018P as mining area. 14) Transfer 37.0 acres mining area from Increment No. 4 to Increment No. 3. 15) Transfer 1.0 acre Basin 009P from Increment No. 5 to Increment No. 3. Re-assess Basin 009P as mining area. 16) Transfer 11.0 acres mining area from Increment No. 3 to Increment No. 4. 17) Transfer 4.0 acres Basins 020P, part of 021P, 024P, and 025P from Increment No. 5 to Increment No. 4. Re-assess Basins 020P, part of 021P, 024P, and 025P as mining area. 18) Transfer 1.0 acre mining area from Increment No. 2 to Increment No. 1. Re-assess 1.0 acre mining area a portion of Primary Road 5P. 19) Re-assess 1.0 Acre mining area in Increment No. 3 as a portion of Primary Road 7P. 20) Transfer 9.0 acres for Primary Roads 1P, 2P, and 3P and 1.0 acre Coal Stockpile, Equipment Storage Area, and office from Increment No. 6 to Increment No. 1. 21) Re-locate Basins 022P and 023P. Transfer 1.0 acre Basin 022P and part of Basin 021P from Increment No. 5 to Increment No. 3. Transfer 1.0 acre Basin 023P from Increment No. 5 to Increment No. 4. Re-assess part of Basin 021P as mining area. 22) Transfer 1.0 acre drainage courses and access from Increment No. 5 to Increment No. 4. Re-assess drainage courses and access as mining area. 23) Transfer 1.0 acres mining area from Increment No. 4 to Increment No. 3. Re-assess mining area as a drainage course. 24)Extend the topsoil variance to include all mining and Excess Spoil Area within the Post Revision R-1 Permit Area. 25)Update the Operations Plan. 26) Update the Hydrologic Monitoring Plan to delete Basins 009P, 010P, 011P, 012P, 013P, 018P, 019P, 020P, 021P, 024P, and 025P and to add Basins 035P, 037P, 045P, 047P, 048P, 049P, 051P, 052P, 053P, 054P, 055P, 056P, 057P, 077P, 079P, 080P and 081P. 28)Submit Detailed Design Plans for Basins 047P, 053P, 054P, 055P, 056P, and 081P. 29)Submit Detailed Design Plans for Primary Road 4P. 30)Submit Detailed Design Plans for Excess Spoil Area No. 1.

A copy of the permit revision application is available for public inspection at the Alabama Surface Mining Commission website <http://surface-mining.alabama.gov/PermitApplications.html> Written comments, objections, or requests for informal conferences should be submitted to the Alabama Surface Mining Commission, P.O. Box 2390, Jasper, Alabama 35502-2390, within 30 days from the last publication of this notice.